REMARKS:

Reconsideration of the above-identified application is respectfully requested.

THE INFORMATION DISCLOSURE STATEMENT:

It is noted that the Information Disclosure Statement submitted with the original documentation of this application (e.g. prior form PTO-1449) has been deemed ..."not a proper information disclosure statement"... and has not been considered in the examination of this application. Applicant is perplexed by the position being taken by the USPTO. The information provided in the form PTO-1449 was submitted under separate transmittal letter as a loose attachment to the originally filed application. The public policy of the USPTO is to provide increased service and assistance to Applicants and to promote full disclosure by the Applicants. MPEP 609 does not require all the information requested in the form, and the information provided by the Applicant on the completed form PTO 1449 is adequate. It would seem that conformance to form takes precedence over substance, a sad reflection of the times.

Attached herewith is a corrected copy of the Information Disclosure form. It is requested that such references be cited as considered in the prosecution of the above-identified application.

OBJECTIONS UNDER 35 USC 112:

The specification has been objected to in regard to the designation numeral "19" as used associated with magnesium carbonate powder on page 18, line 1 of the specification. By proposed amendment to the specification which was presented aforesaid, such numerical designation has been deleted. The attached **APPENDIX I**, comprises a clean copy of the amended paragraph. It is submitted the deletion of the numerical designation corrects an obvious typographical error and that such constitutes no substantive amendment to the specification.

THE REJECTIONS TO CLAIMS 13-26 UNDER 35 USC 103:

Claims 1-12 of the present application comprise system claims, including the recitation of a particular GPS antenna configuration contained within the system, while claims 13-26 are device claims to the GPS antenna.

At numbered paragraph 5 of the Official Action, device claims 13-26 have been rejected under 35 USC 103(a) as being unpatentable over Applicant's admitted prior art in view of US Patent 6,248,393 to Bunyan et al.

Each of claims 13-26 disclose an electromagnetic signal collecting antenna which comprises stacked plates, wherein an exposed face of a positive plate is engaged by a polymeric composition comprising conductive metal particles. The recitation of the application discloses that a stacked plate antenna, e.g. a "patch" antenna, improved by surrounding it with a polymeric composition containing a random dissociated suspension of conductive particles, provides enhanced collection of reflected electromagnetic signals than otherwise experienced.

Bunyan et al is concerned with shielding devices from receipt of electromagnetic radiation and discloses a shielding compressible "gasket" which can be used between connecting components of metal shielding to improve shielding by preventing leak through of electromagnetic signals. The gasket is said to comprise metal particles arranged so that when the gasket is compressed, the metal particles will engage to provide a continuous shield between the connecting components and prevent leakage of interfering electromagnetic signals through the gasket ..."both to confine the EMI energy within a source device, and to insulate that device or other 'target' devices from other sources"...(column 1, lines 28-35).

In short, Applicant seeks to and achieves enhanced collection of electromagnetic signals by use of metal particles surrounding the target antenna, while Bunyan et al seeks to and achieves a shielding from collection of electromagnetic signals by use of metal particles in a gasket. THE TEACHING OF BUNYAN ET AL IS

DIRECTLY CONTRARY TO THE TEACHING OF THE PRESENT APPLICATION.

Such contrary teaching is clearly inconsistent with an obviousness rejection under 35 USC 103, and contrary teachings have long been held to preclude rejections under 35 USC 103. It is pointed out that the only way Bunyan et al can be seen as even applicable to the present invention is through hindsight reasoning derived from the disclosure of the present application. Standing alone, Bunyan et al is not related to enhancing electromagnetic GPS signal "collection" by a device, but to the contrary, seeks to avoid receiving such signals. The application of Bunyan to antenna, would lead one of ordinary skill in the art to logically conclude that the use of metal particles would effectively shield the antenna from receiving electromagnetic signals, particularly if they are arranged in a polymeric composition encapsulating an antenna. The clear disclosure of the use of metal particles in a gasket intended to shield a device from electromagnetic reception is insufficient to logically obviate the use of metal particles surrounding a device (antenna) with the intention of enhancing reception of electromagnetic radiation by a device.

As to the USPTO's comments regarding the specificity of claims 18-20 and 25, it is pointed out that the preferred polymeric composition in association with magnesium carbonate particles is nowhere disclosed in the cited prior art for any purpose much more for the purpose of Bunyan et al. It should be obvious to anyone of ordinary skill in the art that Bunyan et al discloses forming a flexible compressible gasket, while the preferred composition of the present claimed invention comprises a rigid, generally non-flexible, generally non-compressible material. A teaching in opposition to Bunyan et al.

THE REJECTION OF CLAIMS 1-12 UNDER 35 USC 103:

At numbered paragraph 6 of the Official Action, claims 1-12 have been rejected under 35 USC 103(a) as being unpatentable over Applicant's admitted prior art in view of US Patent 6,248,393 to Bunyan et al and US Patent 6,211,823 to Herring. Claim 1-12 are to

a system for the receipt of electromagnetic signals from a GPS satellite; wherein electromagnetic signals are converted to a digital signal and transmitted to and from a satellite and/or cellular communication antenna; the electromagnetic GPS signals being received through a patch antenna surrounded with a polymeric composition containing a random dissociated suspension of conductive particles, which enhance the gathering of reflected electromagnetic signals emanating from a satellite.

The Bunyan et al patent is previously discussed in the response to the rejection of claims 13-26, and the positions presented therein are pertinent to this rejection.

Herring, discloses and teaches that right hand circular polarized (RHCP) patch antenna's used for receiving electromagnetic GPS signals is old in the prior art **but are ineffective in for receiving GPS signals unless arranged in the line-of-sight of the GPS satellite**. Herring then distinguishes standard RHCP antennae from left hand circular polarized antennae (LHCP) in regard to the reception of GPS signals and discloses an advantage in modifying standard RHCP patch or other antennae to LHCP antennae to enable it to receive reflected electromagnetic GPS signals, particularly those reflected to a receiving antenna which is mounted away from line-of-sight to a vehicle undercarriage.

The present application agrees with Herring that when a standard RHCP patch antenna is mounted out of in line-of-sight communication with a GPS satellite, electromagnetic signal reception is poor, but found that instead of modifying the antenna to LHCP, the reception could be enhanced by surrounding the antenna with a random suspension of metal particles in accord with the claimed invention. Herring neither discloses or discusses such means of enhancing the reception of a patch antenna as claimed in the present application, and clearly teaches the only good way to enhance the reception of a standard patch antenna that is positioned out of line-of-sight, is to convert it to LHCP.

Again Applicant submits the USPTO's interpretation of the disclosure of Herring is based upon teachings disclosed in the

present application, as distinct from the teachings of the Herring reference itself. If one has no knowledge of the present invention and reads both Bunyan et al and Herring together, on their face, the clear teaching of the combination of references is that metal particles are effective in shielding a device from receiving electromagnetic radiation and that standard RHCP patch antenna's are ineffective in collecting electromagnetic radiation when not in a line-of-sight orientation. Applicant surrounds a standard RHCP patch antenna with metal particles known by the prior art of Bunyan to shield devices from receipt of electromagnetic signals and uses a standard patch antenna, known by the prior art of Herring to be inadequate unless in line-of-sight with a GPS satellite, in an orientation purposely out of line-of-sight communication with overhead GPS satellites, yet finds the reception of the antenna to be enhanced. IN SHORT, APPLICANT DOES WHAT EACH REFERENCE TEACHES SHOULD NOT BE DONE TO ENHANCE ELECTROMAGNETIC SIGNAL RECEPTION.

In view of the foregoing, it is submitted the cited references do not obviate the present claimed invention, but to the contrary that the sum of their disclosures actually teaches away from the present claimed invention. Claims 1-26 are patentable under any combination of the cited references, and in view of the amendment made to the specification, it is requested that action toward allowance of the claimed invention be instituted.

Respectfully submitted,

CROSSETTA & ASSOCIATES

WJC/lmc

William J. Crossetta, Jr.
Reg. No. 25790
905 Convention Towers
43 Court Street
Buffalo, New York 14202

Tel: (716) 852-3935
Fax: (716) 856-3091

Dated: January 10, 2003